

**REMARKS**

Claims 1-58 are pending in the application.

Claims 1-58 stand rejected.

Claims 2, 15, 39 and 44-58 have been amended.

**Rejection of Claims under 35 U.S.C. §112**

Claims 1-30 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Applicants respectfully disagree.

The Office Action states that the “keying” clauses used in these claims are not enabling because no further teaching is found in the specification or in the co-pending applications included by reference. The Examiner correctly notes that there are several occasions in the specification where the words “keying” or “keyed” are used.

(Specification, page 4, paras. 2 and 3; page 5, para. 1; page 9, para. 2; page 10, para. 4; page 12, para. 2) As used therein, Applicants respectfully submit that the meaning of these terms is clear.

Moreover, Applicants respectfully assert that the terms “keying” and “keyed” are used (and are intended to be used), in these and other passages in the specification (as well as in the claims) of the instant application, in a common usage of the word “key” (or to “key”) meaning “identification” (or to “identify”) or “index” (or to “index”). Such a meaning is borne out by definitions readily available to those of skill in the art. (*See, e.g.,* Microsoft® Word 2002® Thesaurus (developed by Bloomsbury Publishing Plc); “key [-] something that gives an ... identification”, p. 659, Webster’s Ninth New Collegiate

Dictionary (Merriam-Webster Inc., publishers, © 1989); “key 1. <database> A value used to identify a record in a database, derived by applying some fixed function to the record. ... The set of keys for all records forms an index. ... (2003-07-04)” The Free On-line Dictionary of Computing, © 1993-2003 Denis Howe)

Thus, at page 4, para. 2, where it is stated that “both pointer interpreter 102 and pointer generator 106 are keyed to standard SONET frame formats”, the passage can be read as the pointer interpreter and generator identifying certain parts of standard SONET frame formats. At page 4, para. 3, it is stated that “both a pointer interpreter or a pointer generator are keyed to a non-standard SONET frame format”, which can be read as the pointer interpreter and generator identifying certain parts of a non-standard SONET frame format. At page 5, para. 1, it is stated that “a method includes but is not limited to keying a buffer status to a transport gap other than a standard SONET transport gap ...”. In this case, the buffer status identifies a transport gap other than a standard SONET transport gap. At page 9, para. 2, it is stated that “since pointer interpreter 208 and pointer generator 212 are keyed to different frame structures”, while at page 10, para. 4, it is stated that “since pointer interpreter 214 and pointer generator 218 are keyed to different frame structures”. These passages can be read as the pointer interpreter and generator identifying parts of different frame structures. At page 12, para. 2, it is stated that “such buffers are keyed to non-standard SONET frames”, which can be read as the buffers identifying certain parts of non-standard SONET frames.

Thus, Applicants respectfully assert that the meaning of the terms “keying” and “keyed” is clear, and has (and is intended to have) what Applicants respectfully believe to

be a common meaning. Applicants therefore respectfully assert that this basis of rejection is thus overcome.

Claims 1–58 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicants respectfully disagree.

With regard to claims 1-32, 34-36, 40-43, 45-48, 50-53 and 55-58, the Office Action states that the terms “standard transport gap” and “non-standard transport gap” are not properly defined in either the specification or claim language. Applicants respectfully disagree. At page 3, lines 1-20, of the specification of the instant patent application, it is stated that:

“... Illustrated are high-level diagrams of standard SONET frames 108 and 110. Shown is that SONET frame 108 enters standard SONET node 100 via ingress data link 112. Depicted is that SONET frame 110 leaves standard SONET node 100 via egress data link 114.

SONET frames 108 and 110 show that each row of each SONET frame has 3 columns of overhead (data utilized to ensure that the SONET works correctly, and which is generally referred to in the art as a 3 column “transport gap,” since it represents a gap in the data being transported) and 87 columns of payload (data transmitted through the SONET by SONET users). Those skilled in the art will recognize that the size of each “column” will typically vary dependent upon the number of STS

(synchronous transport signals) in use. For example, when one STS is in use (denoted in the art via the symbology “STS-1”) each column is 1 byte wide; when two STSes are in use (denoted in the art via the symbology “STS-2”), each column is two bytes wide; when 3 STSes are in use (denoted in the art via the symbology “STS-3”), each column is three bytes wide; etc. In general, the number of bytes per column is a function of the number of STSes in use “N,” where N is some positive integer; for example, for STS-48 (i.e.,  $N = 48$ ) each column of each SONET frame would be 48 bytes wide.” (emphasis supplied)

Thus, a “transport gap” is a gap in the data being transported. For example, overhead information, in contrast to payload, is transported in such a transport gap, although other information could be transported in the transport gap. Having defined the term “transport gap”, then, it will be appreciated that a “standard transport gap” is the transport gap in a standard frame (e.g., the transport gap of a standard SONET frame). (Specification, page 3, lines 7-11; and page 3, line 2 (“standard SONET frames 108 and 110”))

In contrast, a “non-standard transport gap” is a transport gap other than a standard SONET transport gap (Specification, page 5, line 2), or in other words, the transport gap of a non-standard frame (e.g., the transport gap of a non-standard SONET frame). In fact, the Office Action correctly notes this at Section 5(i), where it is stated that, at certain point(s) in the specification, a “non-standard transport gap” is a transport gap other than a

“standard transport gap”. This is borne out, for example, at page 5, lines 25-31, of the specification of the instant patent application, where it is stated that:

“In one embodiment, a SONET node includes but is not limited to at least one pointer interpreter having an almost full buffer detector set substantially equal to a number of columns present in a non-standard SONET transport gap. In one embodiment, a SONET node includes but is not limited to at least one pointer generator having an almost empty buffer detector set substantially equal to a number of columns present in a non-standard SONET transport gap.” (emphasis supplied)

At page 8, line 31, through page 9, line 9, of the specification of the instant patent application, it is stated that:

“On the “receive” side of switch logic 202 this is accomplished via pointer interpreter 208 and pointer generator 212. Pointer interpreter 208 interprets the overhead columns of standard SONET frame 108 and writes the payload (SPE) columns of standard SONET frame 108 into FIFO buffer 210. Pointer generator 212 interacts with pointer interpreter 208 to obtain the 27 columns of overhead data (3 columns/row x 9 rows/SONET frame x 1 byte/column (for STS-1 frames) yields 27 columns of overhead data/SONET frame – for STS-1; numbers would be multiplied by factor of N other STSes, such as STS-N were in use) in order to construct the 27 column overhead data structure of non-standard SONET frame 204 (which, since it also is representative of a gap in the payload data, can also

be viewed as a “transport gap,” in a fashion analogous to the way the 3 column structure “transport gap” of the related art is viewed), to which is appended the payload data of standard STS frame 108.” (emphasis supplied)

Thus, a “non-standard transport gap” is the transport gap of a non-standard frame.

Given the foregoing, Applicants respectfully submit that the terms “standard transport gap” and “non-standard transport gap” are properly defined at least in the specification. Applicants therefore respectfully submit that the rejection of claims 1-32, 34-36, 40-43, 45-48, 50-53 and 55-58 for indefiniteness is thus overcome.

With regard to claims 39, 44, 49 and 54, these claims have been amended to remove the phrase “asymmetrical gapping structure”. Applicants respectfully submit that these amendments overcome the rejection of claims 39, 44, 49 and 54.

With regard to claims 45-48, these claims have been amended to recite a “receive FIFO buffer”. Applicants respectfully submit that this amendment overcomes the rejection of claims 45-48.

With regard to claim 15, claim 2 has been amended to recite “keying a transmit buffer status of a transmit buffer to a transport gap other than the standard SONET transport gap.” Applicants respectfully submit that this amendment overcomes the rejection of claim 15.

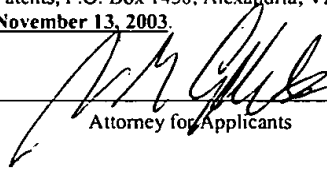
With regard to claims 50-53 and 55-58, these claims have been amended to recite a “transmit FIFO buffer”. Applicants respectfully submit that this amendment overcomes the rejection of claims 50-53 and 55-58.

For at least the foregoing reasons, Applicants respectfully assert that the bases of rejection stated in the Office Action have been traversed with regard to independent claims 1, 18, 31, 35, 39, 44, 49 and 54. Applicant further respectfully asserts that claims 2-17, 19-30, 32-34, 36-38, 40-43, 45-48 and 55-58, which depend from claims 1, 18, 31, 35, 39, 44, 49 and 54, are also allowable for at least the foregoing reasons. Applicant therefore respectfully asserts that claims 1-58 are now in condition for allowance.

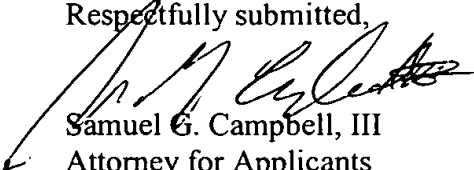


### CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on <u>November 13, 2003.</u>	
 Attorney for Applicants	<u>11/13/03</u> Date of Signature

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